

Read 9 May 1728.
Enacted 1 Geo. II. Public Acts, c 18

Great Britain - Geo II, King

(19)



**A BILL to Explain and Amend an
Act made in the Twelfth Year of the Reign of
his late Majesty King George the First, for
Building a Bridge cross the River of Thames,
from the Town of Fulham in the County of Mid-
dlesex, to the Town of Putney in the County of
Surrey, and for making the said Act more effectual.**



Whereas the Powers granted by an Act made in the Twelfth Year of the Reign of his Late Majesty King George the First, (intituled, *An Act for Building a Bridge cross the River of Thames, from the Town of Fulham in the County of Middlesex, to the Town of Putney in the County of Surrey*) have been found to be not sufficient for effecting the Purposes of the said Act, and it is necessary to make other Provisions, and to give further Powers, and to explain and amend the said Act ;

May it therefore please Your MAJESTY,

That it may be Enacted; And be it Enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same; That the Commissioners and Trustees appointed by the said recited Act, and those appointed by this Act, or any other Act, or more of them, and the Commissioners and Trustees when incorporated in Pursuance of the said former Act, shall have, and they have thereby full Power and Authority to contract and agree with any Person or Persons whatsoever, as well

Commissioners

Commissioners and Trustees, as others, to erect and build a Bridge cross the said River of *Thames*, and to repair, maintain, and support the same, when built, in such Manner as by the said Commissioners and Trustees, or Corporation aforesaid, shall be judged proper. And the said Commissioners, and Trustees, and Corporation aforesaid, or any or more of the said Commissioners and Trustees before such Incorporation, have hereby Power and Authority to grant any Annuity or Annuities in Fee, out of the Profits, Incomes, Revenues, or Tolls of the said Bridge, in such Manner as they may by the said former Act grant any other Annuity or Annuities; All which Annuities in Fee, to be granted pursuant to this Act, shall be registered, and shall be assignable and devisable, as the said other Annuities are by the said former Act; and such Annuities in Fee shall be deemed and shall go as such.

And be it Enacted and Declared, by the Authority aforesaid, That the Commissioners and Trustees appointed by the said former Act, and those added by this Act, and such others as shall be appointed pursuant to, or by Authority of the said Acts, or either of them, are and shall be capable, and they are hereby enabled and made capable, as well to advance and lend any Sum or Sums of Money, and to purchase, receive, and take any Annuity or Annuities, as also to undertake, contract, or agree for the erecting and building the said Bridge, or any Part or Parts thereof, as fully to all Intents and Purposes as any other Person or Persons may or might do; any Thing in the said former Act or in this Act contained to the contrary in any wise notwithstanding.

And for the more effectual enabling the said Commissioners, and Trustees, and Corporation aforesaid, as speedily as may be, to compleat and perfect the said Work; Be it Enacted, by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners and Trustees, or any or more of them, before incorporated, and also lawful for such Corporation, when created, at any Time or Times, to convey and assign over, in Perpetuity or otherwise, all or any Tolls, Revenues, Profits, or Incomes, of or belonging to the said Bridge or Ferries, or which shall in any wise arise, accrue, or belong to the same, unto such Person or Persons as will undertake, contract, and agree to erect and build the said Bridge, and to preserve and keep up the same in good and sufficient Repair, and shall give sufficient Security so to do, to the Satisfaction of the said Commissioners, and Trustees, and Corporation aforesaid, any Thing herein, or in the said former Act, to the contrary notwithstanding.

And be it further Enacted, by the Authority aforesaid, That

shall be Commissioners and Trustees, and they are hereby added to the Commissioners and Trustees appointed to put the said former Act in Execution; and they have hereby full Power and Authority to join in the Execution of the said Act, and of this Act, and they, or any of them, may be incorporated with the said Commissioners and Trustees, or any of them.

And

And be it Enacted, by the Authority aforesaid, That the said Bridge when built, and all Tolls, Revenues, Profits, and Incomes, belonging, or to belong to the same, shall be, and are hereby made chargeable, and charged, in the first Place, with all such Sums of Money as are by the said former Act to be paid to the respective Owners, Proprietors, and Persons interested in the present Ferries between *Fulham* and *Putney* aforesaid; and that upon Payment thereof respectively, or Tender and Refusal, all Ownerhips, Properties and Interests, of, in, or to the said Ferries, shall be, and are hereby extinguished and determined; and the said Ferries and Passage over the River of *Thames* there, and the Ground and Soil adjacent, and belonging to the said respective Ferries, shall be, and are, by Authority of this Act, transferred to, and absolutely vested in the said Commissioners and Trustees, and Corporation aforesaid, and their Successors and Assigns for ever.

And in regard of the said Provision hereby made for Satisfaction of all Losses and Damages to be sustained on occasion of building the said Bridge; Be it Declared and Enacted, by the Authority aforesaid, That it shall and may be lawful, to and for the said Commissioners, and Trustees, and Corporation aforesaid, to proceed immediately, and with all convenient Speed, as soon as may be, to erect and build the said Bridge; any thing in the said former Act contained to the contrary notwithstanding.

And be it Enacted, That the said former Act, and all Provisions, Powers, Clauses, Matters and Things therein contained, (not hereby altered or otherwise provided for) shall continue and be in full Force.

And be it Enacted, by the Authority aforesaid, That if any Suit or Action shall be brought or prosecuted against any Person or Persons, for any thing done or to be done in pursuance of this Act, every such Suit or Action shall be brought and tried in the County of _____ and not elsewhere; and the Defendant or Defendants may plead the general Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by Authority of the said Act; And if it shall appear to be so done, the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuit, or discontinue his, her, or their Action, after the Defendant or Defendants shall have appeared, or if upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover and shall have the like Remedy for the same, as any Defendant or Defendants hath or have for _____ in other Cases by Law.

And it is hereby Declared, That this Act is a publick Act, and shall be deemed and taken Notice of as such by all Judges, Justices and others, in all Courts and Places, without special pleading the same.